

AGENDA



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Austin City Council

Item ID:

5864

Meeting Date:

May 12, 2011

Department:

Contract and Land Management

Subject

Authorize negotiation and execution of a contract with BARECKY CONSTRUCTION COMPANY, Wimberley, TX or one of the other qualified offerors to RFP Solicitation No. CLMB310, for the African American Cultural and Heritage Facility, in the amount of \$2,450,220 plus a \$245,022 contingency for a total contract amount not to exceed \$2,695,242.

Amount and Source of Funding

Funding is available in the Fiscal Year 2010-2011 Operating Budget of the Neighborhood Housing and Community Development Department. Per United States Department of Housing and Urban Development (HUD) requirements, this action is subject to applicable environmental review prior to the release of funds.

Fiscal Note

A fiscal note is not required.

Purchasing
Language:

Best value to the City of Austin of four proposals received.

Prior Council
Action:

June 10, 2010- Authorized the use of Competitive Sealed Proposal Alternative Project Delivery Method.

For More
Information:

Alison Von Stein 974-7217, Rolando Fernandez 974-7749, April Shaw 974-7141

Boards and
Commission
Action:



MBE / WBE:

This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 8.01% MBE and 17.42% WBE subcontractor participation.

Related Items:



Additional Backup Information

The African American Cultural and Heritage Facility project was approved by voters as part of the 2006 Bond Election. It will house a 760 square foot visitors' center, which will serve as an anchor facility for the African American Cultural Heritage District. The facility will provide 9,385 square feet of new construction which will house offices, a conference room, reception areas, a dance practice and performance room, and auxiliary spaces for two local non-profits, the Capital City African American Chamber of Commerce and the ProArts Collective.

The project is located in the African American Cultural Heritage District. On Sept. 3, 2009, this district was selected by the Texas Commission on the Arts as one of seven designated communities with the first official State of Texas Cultural District Designation.

As recommended by the African American Quality of Life Initiative, the historic Dedrick-Hamilton House, located at 912 E. 11th Street, will be rehabilitated for this project and will serve as the visitors' center. The Dedrick-Hamilton House was constructed around 1880 and was part of one of the earliest African American communities in East Austin and is eligible for historic designation. It was owned by the family of one of the first freed slaves in Travis County - Thomas Dedrick. It had remained in the same family until the City's Urban Renewal Agency obtained site control in September 2004.

In addition to the \$1,500,000.00 approved under the 2006 General Obligation bond, the City has committed \$2,900,000.00 through Federal American Recovery and Reinvestment Act (Stimulus) Funds and other Federal funding sources for a total project commitment of \$4,500,000.00. This request is being partially funded through the American Recovery and Reinvestment Act of 2009; therefore the selected contractor is required to create and/or retain up to 44 full time equivalent (FTE) employees.

A ten percent (10%) contingency is being requested for any unforeseen circumstances and will allow for expeditious processing of change orders, if required.

Due to the need for a qualified and capable contractor to restore and rehabilitate 760 square feet of the historic Dedrick-Hamilton House and 9,385 feet of new construction, a Contractor was selected through the Competitive Sealed Proposal Method.

This item is to request authorization to negotiate and execute an agreement with the staff recommended firm, Barecky Construction Company. Wimberley, Texas or, one of the other qualified Offerors to perform services to restore and rehabilitate the African American Cultural and Heritage Facility for a total contract amount not to exceed \$2,695,242.00.

Local Government Code Chapter 271, Subchapter H, Section. 271.116, provides for governmental entities to first attempt to negotiate a contract with the top-ranked firm who is determined to be the best value to the governmental entity. The statute goes on to state that if negotiations with the top-ranked firm are unsuccessful, the governmental entity shall end those negotiations and proceed to negotiate with the next contractor in the order of selection ranking. Council's authorization of this request allows for such negotiations. If negotiations are required with the next contractor in the order of selection ranking, staff will return to Council prior to contract execution.

Pursuant to Statute, the "best value" determination shall be on weighted criterion and may include, but is not limited to, price, reputation, quality of product, past relationship with the governmental entity, total long-term cost to require goods or services, compliance with the historically underutilized business programs, and other relevant factors. In order to establish a level playing field for all prospective Offerors, the solicitation must contain the evaluation criteria factors and relative weights.

The African American Cultural and Heritage Facility solicitation included fourteen evaluation criteria factors with weights ranging from 5 points to 25 points maximum. Of the fourteen evaluation criteria items, the three which had the greatest maximum points were: "Price" valued at a maximum of 25 points; "Team's Comparable Project Experience" valued at a maximum of 25 points; and "Team Structure, Work Approach and Delivery Schedule" valued at a maximum of 25 points. The three criteria factors with the larger weights applied indicate criticality and importance of those elements.

TOP RANKED FIRM: Barecky Construction Company
SECOND RANKED FIRM: JE Dunn Construction Company

Notification of issuance of a Request for Competitive Sealed Proposals (CSP) for the subject services was issued on January 3, 2011. Twenty (20) contractors who identified themselves as Prime Contractors obtained solicitation packets

and on February 23, 2011, four (4) proposals were received. One (1) of the four (4) contractors who submitted proposals was a certified MBE firm.

Participation goals stated in the solicitation were African American 2.10%; Hispanic 3.70%; Native/Asian 0.90%; and 2.60% WBE subcontractor participation. The top ranked and second ranked Contractors provided an MBE /WBE Compliance Plan that met the goals of the solicitation or provided good faith efforts and were approved by the Small and Minority Business Resources Department.